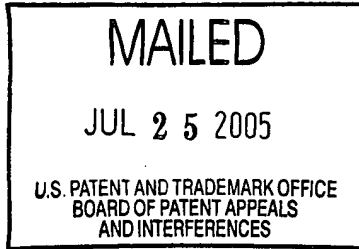


UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES



Ex parte RONALD L. BROOKSHIRE
and
TRAVIS J. BROOKSHIRE

Application 10/676,593

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was received electronically at the Board of Patent Appeals and Interferences on July 18, 2005. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being electronically returned to the examiner. The matters requiring attention prior to docketing are identified below:

On February 23, 2005, appellants filed a Notice of Appeal from "[t]he rejection of the Office Action dated October 14, 2004." The "Status of Claims" section located on page 2 of the Appeal Brief filed February 23, 2005 stated that

Application 10/676,593

"[c]laims 1-3 and 5-20 are pending and twice rejected, and Claim 4 is canceled." The "Grounds of Rejection" section appearing on pages 4-9 of the Examiner's Answer mailed March 23, 2005 states:

1. Claims 1-3, and 7 are rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) . . . ;
2. Claims 6 and 8 are rejected under 35 U.S.C. 103(a) . . . [NEW GROUND];
3. Claim 5 is rejected under 35 U.S.C. 103(a) . . . ;
4. Claims 9, 12, 13, 14, 15, 17, and 18 are rejected under 35 U.S.C. 103(a) . . . ;
5. Claims 11, 16, and 20 are rejected under 35 U.S.C. 103(a) . . . [NEW GROUND]; and
6. Claim 19 is rejected under 35 U.S.C. 103(a)

It should be noted that the Final Rejection mailed October 14, 2004, and the Appeal Brief filed February 23, 2005 to not appear to discuss the rejection of claim 10. Appropriate correction is required.

Application 10/676,593

Accordingly, it is

ORDERED that the application is returned to the
examiner:

1. for a determination regarding the status of
claim 10;
2. for written notification to appellants regarding
the examiner's decision; and
3. for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

By: 

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